

U.S. Pat. Appl. 10/089,092

AMENDMENTS TO THE DRAWINGS

The attached sheets of drawings include changes to Figs. 1-4.

Attachments:

Replacement sheets

REMARKS

Receipt of the Office Action of November 19, 2004 is gratefully acknowledged.

Four (4) sheets of new drawings designated as REPLACEMENT SHEETS are in full compliance with 37 CFR 1.121(d).

The objection to the drawings under 37 CFR 1.83(a) because the "predetermined table ..." in claim 19 is not shown is noted and respectfully traversed.

Claim 19 is a method claim and as such recites steps and not structure. Structure must be shown in accordance with 37 CFR 1.83(a) not steps. If steps had to be shown, then it would be reasonable to ask: how is a "generating" step to be shown, or how is a "coupling" or a "scanning" step to be shown. These too have been recited. It is respectfully submitted that they cannot be shown because, unlike structure, steps do not comprise an entity that can be shown.

The examiner is urged to withdraw the objection under 37 CFR 1.83(a).

The objection to claims 17, 18, 24-27, 29, 31 and 32 as informal is noted.

In reply thereto, these claims have been amended to remove the perceived informality.

The specification on pages 6 and 11 have also been amended to overcome the noted informalities.

The rejection of claims 17-23 and 25-32 as unpatentable under 35 U.S.C. 103(a) over McEwan in view of Okuba et al., and the rejection of claim 24 as unpatentable under 35 U.S.C. 103(a) over McEwan in view of Okuba et al. and Lacey et al. are noted and respectfully traversed.

The present invention defines a true domain reflectometry (TDR). McEwan also defines a time domain reflectometry. The two share this broad identity, but the specifics are different with respect to the method aspect of the invention and the apparatus aspect.

According to the method aspect, there are a number of differences, one of which is scanning of the reflected signal. The examiner indicates that col. 3, lines 30-38 and col. 4, lines 35-38 disclose this feature. Applicant cannot agree. These passages do not go far enough in one instance and in the other is really not on point.

This alone would defeat the examiner's proposed rejection with respect to the method aspect, as well as the apparatus (circuit arrangement) aspect.

Also, the examiner recognizes the lack of a control unit teaching in McEwan, and turns to Okubo et al. utilizing speculation on what Okubo et al. can do. But a reference must be relied on for what it teaches and not what it might teach.

For this reason, the combination of McEwan and Okubo et al. cannot be sustained.

Nor can Lacey et al. help since it also does not teach a control unit usable with McEwan.

In view of the foregoing, reconsideration and reexamination are respectfully requested and claims 17-32 found allowable.

Respectfully submitted,
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